

### REMARKS

Claims 1-32 were pending as of the action mailed on May 25, 2006. No amendments are being made. Reexamination and reconsideration of the action are requested in light of the following remarks.

The remarks will specifically address claim 1; they apply equally to the other independent claim. For reference, claim 1 as now pending reads as follows:

1. A method for signing an electronic document, the method comprising:
  - establishing an electronic signature appearance for an electronic signature, an electronic signature appearance comprising a visual manifestation of a signer's signature on the electronic document;
  - determining a bounding region on the electronic document for the display of the electronic signature appearance;
  - at the time of electronically signing an electronic document, previewing the electronic signature appearance in the bounding region, where the electronic signature appearance can be edited based on a user input after previewing the electronic signature appearance and before electronically signing the electronic document; and
  - signing the electronic document with an electronic signature, the electronic signature appearance being included in the electronic document signed with the electronic signature.

Claim 1 recites a method for signing an electronic document. In particular, the claim provides for establishing an electronic signature appearance for an electronic signature. In reading the claim, the difference between the appearance and the actual digital signature (termed "electronic signature" in the claim) must be kept in mind. The appearance includes "a visual manifestation of a signer's signature" (claim 1). The "electronic signature" is "code derived from the signed electronic document and a given private key" (application, page 1, lines 26-28).

The claim recites that a user can preview the appearance and edit the appearance before electronically signing the electronic document.

The examiner relies on Parry at paragraph 0038 as disclosing this limitation. This paragraph reads in its entirety as follows.

[0038] The electronic signature module 322 is configured to control functions that manipulate (create, edit, append, delete, verify, etc.) the electronic signature 326 included with the electronic document 324. The fingerprint data 328 is stored in the memory 320 after being received from the fingerprint scanning writing instrument 304.

The examiner states on page 3 of the action that although previewing the signature is not specifically disclosed, a signature must be previewed in order for a user to determine if an edit is desired. This might be pertinent if the electronic signature 326 were an appearance, as recited in the claim, but it is not.

In Parry, the electronic signature 326 is mentioned only in the following paragraphs, in addition to paragraph 0038, which was quoted above:

[0037] The computing device 302 also includes memory 320 that stores an electronic signature module 322, an electronic document 324 including an electronic signature 326, fingerprint data 328 and a scanner driver 330 that drives the scanner 306.

[0041] The electronic document 324 may initially comprise a paper document (not shown). If so, the paper document may be scanned with the scanner 306 to create the electronic document 324. After several processing steps, the electronic signature module 322 affixes the electronic signature 326 to the electronic document 324.

[0049] At block 408, the electronic signature module 322 creates the electronic signature 326. The electronic signature 326 includes a number of bits from which the user's identity and the public key code 338 can be obtained. Various methods are known in the art for verifying the accuracy and authenticity of the electronic document 324 using these, and possibly other, pieces of information. Any of these methods may be used in the process described herein.

[0051] At block 414, the electronic signature module 322 attaches the electronic signature 326 to the electronic document 324. This creates an electronically signed digital document 324 that may be transmitted to various parties online. A party receiving the signed document 324 can use the electronic signature 326 and the document 324 to verify that a sending

party is who they claim to be. Also, the information is used to verify that the document 324 has not been altered since the electronic signature 326 was applied to the document 324.

From these paragraphs, the reader learns that a module 322 affixes or attaches the electronic signature 326 to an electronic document 324, that electronic signature 326 contains bits from which the accuracy and authenticity of the electronic document 324 can be verified, and that the electronic signature 326 can be used to verify that the electronic document 324 has not been altered after the electronic signature 326 was applied to the electronic document 324. The electronic signature 326 of Parry is therefore the "electronic signature" of claim 1, and not the "electronic signature appearance".

In addition, there is no disclosure of a previewing of the signature in a bounding region on the electronic document, as recited in claim 1. Although the examiner relies on Kuo for disclosing a bounding region, the reliance is misplaced. Kuo discloses displaying a test signature for a credit card transaction along with a template signature, so that a store clerk can visually compare the two and verify the test signature. There is no disclosure of a bounding region on an electronic document to be signed with a digital signature, as recited in claim 1.

### **Drawings**

Applicant notes that in the action mailed January 26, 2006, the examiner accepted the drawings initially filed with the application on February 6, 2002. However, applicant submitted replacement drawings with the Preliminary Amendment filed on May 28, 2003. Accordingly, applicant requests that the examiner accept the drawings filed on May 28, 2003.

### **Conclusion**

For the foregoing reasons, the applicant submits that all claims are allowable.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.


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Respectfully submitted,

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